

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**IN RE: MELTON HATLEY  
JOSIE HATLEY**

**CASE NO. 19-20064**

**DEBTOR'S MOTION TO DISMISS CHAPTER 7 CASE - JOINT DEBTOR ONLY**

**NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN FOURTEEN (14) DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH REQUESTS FOR HEARING. THE COURT WILL THEREAFTER SET A HEARING. IF NO RESPONSE IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW the Joint Debtor, Josie Hatley, by and through her attorney, Susan McDaniel Binkley, and for her MOTION TO DISMISS CHAPTER 7 CASE - JOINT DEBTOR ONLY would show the Court as follows:

1. After filing, the Joint Debtor has determined that she was ineligible for a Chapter 7 discharge according to U.S.C. §727(a)(8) and wishes to dismiss the Joint Debtor only.
2. The Debtor would show the Court that she is entitled, under the U.S. Bankruptcy Code Sect. 1307 (c), to dismiss this Chapter 7 case.
3. The Debtor would show the Court that no Creditor will be prejudiced by this dismissal.

WHEREFORE, the Debtor respectfully moves that this case be dismissed without prejudice.

Dated: 4-29-19

Respectfully submitted,

/s/ Susan McDaniel Binkley

Susan McDaniel Binkley

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**Certificate of Service**

I, Susan McDaniel Binkley, hereby certify that a true and correct copy of the above mentioned Motion To Dismiss has been served on Michael McNally, Trustee, 100 E Ferguson, Ste 400, Tyler, Texas 75702 and all interested creditors on the attached mailing matrix by US Mail or by electronic mail on this 29<sup>th</sup> day of April, 2019.

/s/ Susan McDaniel Binkley

Susan McDaniel Binkley